

Response to Senate Bill 974 -- Newaygo County Compassion Club

The bill would amend the Michigan Medical Marihuana Act to prohibit the possession and use of medical marihuana on private property, in violation of a prohibition established by the property owner. The bill also would prohibit smoking medical marihuana in any portion of private property that was open to the public. The Newaygo County Compassion Club is opposed to this bill entirely.

There are multiple ways to use medicinal marijuana: smoking, vaporizing, edibles, tinctures, lotions, oils, salves, et cetera. There is no data presented within this bill that outlines whether it was the intention to eliminate the use of medical marijuana entirely or to prohibit the use of smoking medical cannabis on private property in violation of prohibition established by the property owner. Michigan became a smoke-free state in 2010, preventing Michigan residents from smoking cigarettes on public property. However, Electronic Cigarettes are not covered under the "Smoke Free Air Law" because electronic cigarettes do not contain tobacco and emit a vapor. A medical marijuana vaporizer has the same design. Cannabis is heated and THC and/or CBD vapor is drawn into the receptacle. The patient then inhales the vapor. Vaporizing is a 'safer alternative' according to the Medical community because it is believed that it is less harsh on an individuals lungs and the vapor exhaled is not smoke. The other alternatives to smoking as listed above also have no affect on any individual that is not the patient ingesting. Banning cannabis in all forms on private property in violation of prohibition established by the property owner is a way of circumventing the Michigan Medical Marihuana Act and isolating cannabis patients from typical pharmaceutical patients without basis for a change in the Act.

Property owners in the State of Michigan already have the option to prevent cultivation and consumption on their own property. Currently, University of Michigan, Oakland University, and Eastern Michigan University have banned cultivation and use of medical marijuana on their campus. Eastern Michigan sited that the reason behind the ban was because the school receives federal funding and federally cannabis is a schedule 1 drug. When signing a lease with an apartment complex, they can add their own set of rules and regulations that the tenant has to abide by in order to remain a tenant and not be evicted. Within a private residence that is not leased to the public, the individual owner of the property already has the right to say whether or not someone can use cannabis on their property.

Furthermore, in an interview with Senator Rick Jones, he stated that one of the main reasons for this bill to be passed is that patients and caregivers are cultivating medical marijuana in apartments without the consent of their landlords and some have caused water damage and at least one has caused a fire. The Bill the way it was written does not outline specifically that cultivation is to be banned, just a non-specific wording that states a patient or caregiver cannot possess or use medical cannabis on private property. If cultivation is the issue the Senator is concerned about, the use of medical marijuana is a separate issue. In addition, 80 people in the State of MI were killed last year in residential fires and hundreds more of fires occurred. One fire caused from a grow light should not spark a new bill banning a patient's medicine. If one fire started a new bill, people would be banned from using fireplaces, fireworks, plugging things into outlets, et cetera.

With patients being disabled and some on disability or unemployed due to the states economy, a mortgage is a luxury most patients cannot afford. It is the opinion of the Newaygo County Compassion Club that patients should not have the use of their medicine taken away from them if they have to live in a rental property.

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